

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80101-CR-CANNON(s)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

GOVERNMENT'S NOTICE OF FILING

Pursuant to the Court's order at the June 24, 2024 hearing and related minute order (ECF No. 643), the Government notices this filing to complete the record in support of its Motion to Modify Conditions of Release (ECF No. 592). For the Court's convenience, the Government includes here all the exhibits in support of its motion and denotes in brackets [] the docket citation in this case for exhibits previously filed in the record.

Exhibit No. 1: The Statements Giving Rise to the Motion to Modify Release Conditions—Trump's Statements Alleging a Plan by the FBI to Kill Him and His Family in Connection with the August 8, 2022 Search of Mar-a-Lago

- A. Trump Truth Social Post (May 21, 2024) [ECF No. 592-1]
- B. Trump Fundraising Email (May 23, 2024) [ECF No. 592-2]
- C. Trump Truth Social Post (May 23, 2024) [ECF No. 592-3]
- D. Trump Truth Social Repost (May 24, 2024) [cited in ECF No. 592 at 7 n.3]
- E. Trump Truth Social Post (May 25, 2024) [ECF No. 592-5]

Exhibit No. 2: Examples of Trump's Surrogates Amplifying His Statements Alleging an FBI Plan to Kill Him

- A. @patriottakes X Post Embedding Stephen Bannon Podcast Excerpt (May 21, 2024) [ECF No. 592-4]
- B. @MZHemingway X Post (May 21, 2024)

Exhibit No. 3: Examples of Trump's Statements Regarding the FBI

- A. Trump Statement Regarding the Execution of the Mar-a-Lago Search Warrant (Aug. 8, 2022) [ECF No. 638-3]
- B. Select Trump Truth Social Posts Regarding the FBI (Aug. 9, 2022 to June 9, 2023)

Exhibit No. 4: Examples of Threats Against the FBI Following Trump's Statements

- A. Select Ricky Shiffer Truth Social Posts (Aug. 9 to Aug. 11, 2022) [ECF No. 638-4]
- B. *In re: Search of Information Associated with Truth Social Profile with Username @rickywshiffer or Ricky Shiffer That is Stored at Premises Controlled by Truth Social*, No. 1:22-mj-481 (S.D. Ohio Aug. 12, 2022; unsealed June 20, 2024) (Search Warrant Application) [ECF No. 638-1]
- C. FBI Cincinnati Statement (Aug. 11, 2022; updated Aug. 12, 2022)
- D. *In re: Sealed Search Warrant*, No. 9:22-mj-08332-BER (S.D. Fla. Aug. 22, 2022) (Order on Motions to Unseal) (highlighting added at 8-9)
- E. *United States v. Timothy Muller*, No. 4:24-mj-479 (N.D. Tex. June 14, 2024) (Criminal Complaint) [ECF No. 638-2]

Exhibit No. 5: Examples of Trump's Statements Regarding Judges and Court Staff

- A. Trump Truth Social Post (Aug. 4, 2023) [ECF No. 638-5]¹
- B. Select Trump Truth Social Posts Regarding a United States District Judge for the District of Columbia Presiding Over a Criminal Case in Which Trump is the Defendant (Aug. 6 to Dec. 8, 2023)

¹ The indictment in the District of Columbia case was returned and docketed on August 1, 2023. The initial appearance was held on August 3, 2023.

- C. Select Trump Truth Social Posts Regarding a New York State Supreme Court Justice Presiding Over a Civil Case Involving Trump (Oct. 28, 2022 to Nov. 29, 2023)
- D. Select Trump Truth Social Posts Regarding a New York State Supreme Court Justice Presiding Over a Criminal Case in Which Trump is the Defendant (Mar. 26 to Apr. 30, 2024)

Exhibit No. 6: Examples of Threats Against Judges and Court Staff Following Trump's Statements

- A. *United States v. Abigail Jo Shry*, No. 4:23-cr-413 (S.D. Tex. Aug. 11, 2023) (Criminal Complaint)
- B. Alan Feuer, *Apparent 'Swatting' Incidents Target Judge and Prosecutor in Trump Election Case*, N.Y. Times (Jan. 8, 2024)
- C. *Trump v. Engoron*, No. 2023-05859 (N.Y. App. Div. Nov. 22, 2023) (Affirmation in Opposition)
 - 1. Ex. A: *State v. Trump*, Index No. 452564/2022 (N.Y. Sup. Ct. Oct. 26, 2023) (10/3/23 Trial Transcript)
 - 2. Ex. B: *State v. Trump*, Index No. 452564/2022 (N.Y. Sup. Ct. Oct. 20, 2023) (Other Order—Non-Motion)
 - 3. Ex. C: *State v. Trump*, Index No. 452564/2022 (N.Y. Sup. Ct. Oct. 26, 2023) (Other Order—Non-Motion)
 - 4. Ex. D: *State v. Trump*, Index No. 452564/2022 (N.Y. Sup. Ct. Nov. 3, 2023) (Supplemental Limited Gag Order)
 - 5. Ex. E: *Trump v. Engoron*, No. 2023-05859 (N.Y. App. Div. Nov. 22, 2023) (11/21/23 Affidavit of Charles Hollon)
- D. Peter Eisler, et al., *Trump Blasts His Trial Judges. Then His Fans Call for Violence*, Reuters (May 14, 2024)

Exhibit No. 7: Examples of Trump's Statements Regarding Prosecutors

- A. Select Trump Truth Social Posts Regarding the New York District Attorney (Jan. 31 to Mar. 24, 2023)
- B. Select Trump Truth Social Posts Regarding the Fulton County District Attorney (Mar. 23 to Aug. 24, 2023)

Exhibit No. 8: Examples of Threats Against Prosecutors Following Trump's Statements

- A. *People v. Trump*, Ind. No. 71543-23 (N.Y. Sup. Ct. Feb. 26, 2024) (2/22/24 Affidavit of Nicholas Pistilli)
- B. *People v. Trump*, Ind. No. 71543-23 (N.Y. Sup. Ct. June 21, 2024) (6/20/24 Affidavit of Nicholas Pistilli)
- C. *United States v. Craig Deleeuw Robertson*, No. 2:23-mj-722 (D. Utah Aug. 8, 2023) (Criminal Complaint)
- D. *State v. Trump*, No. 23SC188947 (Ga. Sup. Ct. Sep. 6, 2023) (9/5/23 Affidavit of Darin Schierbaum)
- E. *State v. Trump*, No. 23SC188947 (Ga. Sup. Ct. Sep. 6, 2023) (9/5/23 Affidavit of Gerald Walsh)
- F. *United States v. Arthur Ray Hanson*, No. 1:23-cr-343 (N.D. Ga. Oct. 25, 2023) (Criminal Indictment)

Exhibit No. 9: Examples of Trump's Statements Regarding Potential Witnesses in the District of Columbia Case and Threats Following Trump's Statements

- A. *United States v. Trump*, No. 1:23-cr-257 (D.D.C. Sept. 15, 2023) (Motion to Ensure that Extrajudicial Statements Do Not Prejudice these Proceedings)
- B. Trump X Post Regarding a City Election Commissioner (Nov. 20, 2020) and Excerpt of the Commissioner's Public Testimony Before the House Select Committee to Investigate the January 6th Attack on the United States Capitol (June 13, 2022)²
- C. Trump Truth Social Post Regarding a Former Chairman of the Joint Chiefs of Staff (Sept. 22, 2023) [ECF No. 638-5]

² Exhibits 9A and 9B are redacted consistent with protective and sealing orders in the District of Columbia case. *See Trump*, No. 1:23-cr-257, ECF Nos. 28 and 55.

Exhibit No. 10: Trump's Awareness of the Link Between His Statements and His Followers' Responses

- A. Select Trump Truth Social Posts (Apr. 4, 2024) [ECF No. 642, GX1]
- B. Excerpt of Transcript of CNN's Town Hall with Former President Donald Trump, CNN (May 11, 2023)
- C. Trump Truth Social Post (Apr. 29, 2023) [ECF No. 642, GX2]

Exhibit No. 11: Relevant Court Orders Not Cited in the Government's Pleadings

- A. *United States v. Trump*, No. 1:23-cr-257, ECF No. 124 (D.D.C. Oct. 29, 2023) (Opinion and Order)
- B. *People v. Trump*, Ind. No. 71543-23 (N.Y. Sup. Ct. Mar. 26, 2024) (Decision and Order on People's Motion for an Order Restricting Extrajudicial Statements)
- C. *People v. Trump*, Ind. No. 71543-23 (N.Y. Sup. Ct. Apr. 1, 2024) (Decision and Order on People's Motion for Clarification or Confirmation of an Order Restricting Extrajudicial Statements)
- D. *People v. Trump*, Ind. No. 71543-23 (N.Y. Sup. Ct. June 25, 2024) (Decision and Order on Defendant's Motion to Terminate Order Restricting Extrajudicial Statements)
- E. *United States v. Taranto*, No. 1:23-cr-229, ECF No. 27 (D.D.C. Sep. 12, 2023) (Order of Detention) (highlighting added at 4-6)

Respectfully submitted,

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June 26, 2024

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which in turn serves counsel of record via transmission of Notices of Electronic Filing.

/s/ David V. Harbach, II
David V. Harbach, II